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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case:2:21-cr-20146
Judge: Friedman, Bernard A.
MJ: Whalen, R. Steven
Filed: 03-03-2021 At 04:18 PM
INDI USA V KARL NICO GILBERT (LG)

v.

KARL NICO GILBERT,

VIOLATIONS: 18 U.S.C. § 922(g)(1)
18 U.S.C. § 924(c)(1)(A)
21 U.S.C. § 841(a)(1)
21 U.S.C. § 841(b)(1)(C)
21 U.S.C. § 844(a)

Defendant.

_____ /

INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

(21 U.S.C. § 841(a)(1) — *possession of
methamphetamine with intent to distribute*)

On or about December 4, 2020, in the Eastern District of Michigan, the defendant, KARL NICO GILBERT, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT TWO

(21 U.S.C. § 841(a)(1) — *possession of heroin with intent to distribute*)

On or about December 4, 2020, in the Eastern District of Michigan, the defendant, KARL NICO GILBERT, did knowingly and intentionally possess with intent to distribute a mixture and substance containing a detectable amount of heroin, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

COUNT THREE

(18 U.S.C. § 924(c)(1)(A) — *possessing a firearm in furtherance of a drug trafficking crime*)

On or about December 4, 2020, in the Eastern District of Michigan, the defendant, KARL NICO GILBERT, did knowingly possess a firearm, that is, a loaded black Ruger Luger 9 mm semiautomatic pistol, in furtherance of the drug trafficking crimes as alleged in Counts One and Two of this Indictment, as incorporated here by reference, in violation of Title 18, United States Code, Section 924(c)(1)(A).

COUNT FOUR

(18 U.S.C. § 922(g)(1) — *felon in possession of a firearm*)

On or about December 4, 2020, in the Eastern District of Michigan, the defendant, KARL NICO GILBERT, having been previously convicted of a felony, that is, a crime punishable by imprisonment for a term

exceeding one year, and knowing that he had been so convicted, did knowingly possess a firearm, that is, a loaded black Ruger Luger 9 mm semiautomatic pistol, which had been shipped and transported in interstate or foreign commerce to reach this jurisdiction, in violation of Title 18, United States Code, Section 922(g)(1).

COUNT FIVE

(21 U.S.C. § 844(a) — *possession of a controlled substance*)

On or about December 4, 2020, in the Eastern District of Michigan, the defendant, KARL NICO GILBERT, did knowingly and intentionally possess cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 844(a).

FORFEITURE ALLEGATIONS

(18 U.S.C. § 924(d), 21 U.S.C. § 853(a), and
28 U.S.C. § 2461(c) — *criminal forfeiture*)

The allegations contained in Counts Three and Four of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c).

As a result of violating 18 U.S.C. § 922(g) as set forth in this Indictment, upon conviction, the defendant shall forfeit to the United

States any firearms and ammunition involved in or used in the knowing commission of the offense.

The allegations contained in Counts One, Two, and Five of this Indictment are hereby re-alleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 21 U.S.C. § 853(a).

Upon conviction of the offenses charged in Counts One, Two, and Five of this Indictment, the defendant shall forfeit to the United States, pursuant to 21 U.S.C. § 853(a): (1) any property, real or personal, constituting or derived from any proceeds obtained, directly or indirectly, as a result of such violations; and (2) any property, real or personal, used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of such violation.

Forfeiture Money Judgment: Such property also includes, but is not limited to, a forfeiture money judgment against the defendant in an amount to be determined, representing the total value of all property subject to forfeiture, as described herein.

Substitute Assets: Pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), the defendant shall forfeit substitute property, up to the value of the property described above, if, by any act or omission of the defendant, the property described above cannot be located upon the

exercise of due diligence; has been transferred, sold to or deposited with a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty.

THIS IS A TRUE BILL.

s/ Grand Jury Foreperson
Grand Jury Foreperson

SAIMA S. MOHSIN
Acting United States Attorney

MATTHEW A. ROTH
Chief, Major Crimes Unit

s/ Rosemary Wummel Gardey
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Dated: March 3, 2021

United States District Court
Eastern District of Michigan

Criminal Case Cover

Case:2:21-cr-20146

Judge: Friedman, Bernard A.

MJ: Whalen, R. Steven

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NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete

Companion Case Information	Companion Case Number:
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :	Judge Assigned:
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	AUSA's Initials: <i>RWG</i>

Case Title: USA v. Karl Nico Gilbert

County where offense occurred : Wayne

Check One: ☒ Felony ☐ Misdemeanor ☐ Petty

 Indictment/ Information --- no prior complaint.

☒ Indictment/ Information --- based upon prior complaint [Case number: 21-mj-30087]

 Indictment/ Information --- based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information

Superseding to Case No: _____ Judge: _____

- ☐ Corrects errors; no additional charges or defendants.
☐ Involves, for plea purposes, different charges or adds counts.
☐ Embraces same subject matter but adds the additional defendants or charges below:

Defendant name

Charges

Prior Complaint (if applicable)

Please take notice that the below listed Assistant United States Attorney is the attorney of record for the above captioned case.

March 3, 2021
Date

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¹ Companion cases are matters in which it appears that (1) substantially similar evidence will be offered at trial, or (2) the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.